

REMARKS

In respect to the examiner's request for reference to a prior application U.S. Serial 09/087,875, now U.S. Patent 6,075,422, to be inserted in the first paragraph in the specification, the reference in this application U.S. Serial 09/871,839 was included in the specification as an example modern optimization tuner (pg 12 ln 21). No priority is being presently claimed on U.S. Patent 6,0785,422.

In respect to the double patenting rejection, applicant includes a Terminal Disclaimer relative to parent application, now U.S. Patent 6,741,143.

In respect to the examiner's objection to claim 1, applicant has amended claim 1 and its dependent claims to recite "said at least one power selected probe" as suggested by the examiner. Applicant thanks the examiner for his observation.

In respect to the examiner's rejection of claims 22 and 23 based on Zimmerman U.S. Patent 5,656,980, applicant has cancelled claims 22 and 23 in order to render this rejection moot.

It is believed that the above places the application into condition for allowance.

On April 14, 2005, USPTO Examiner Dean O. Takaoka communicated with the undersigned relative to the inclusion of

claims 22 and 23 in the March 17, 2005 amendment. These claims  
22 and 23 were a clean copy marked as "original" claims.  
Applicant herein includes claims 22 and 23 as cancelled in line  
with the March 17, 2005 amendment.

Favorable action is solicited.

Respectfully submitted,

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